

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
Bid Protest**

ADVANCED TECHNOLOGY)	
SYSTEMS COMPANY)	
)	No. 23-1000
Plaintiff,)	Judge Meyers
)	
v.)	
)	[REDACTED]
THE UNITED STATES,)	
)	
Defendant.)	
)	

AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiff Advanced Technology Systems Company (“ATSC”), through undersigned counsel, files this pre-award bid protest Complaint against Defendant, the United States of America, acting through the U.S. Department of Defense, Department of the Navy (“Navy” or “Agency”). In support of this action, ATSC states and alleges as follows:

I. NATURE OF THE ACTION

1. ATSC’s protest here arises out of Navy Solicitation No. N0002423R5310 (the “RFP”), seeking a Nationwide Maritime Surveillance System (“NMSS”) to be provided to the Egyptian Navy via the Department of Defense Foreign Military Sales (“FMS”) program.

2. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

3. [REDACTED] was

assigned to the Naval Information Warfare Systems Command (“NAVVWAR”) and its International Command, Control, Communications, Computers, and Intelligence (“C4I”) Integration Program Office (“PMW 740”).

4. In 2021, [REDACTED]
[REDACTED]. In response to
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].”

5. NAVSEA issued the subject RFP on February 2, 2023.¹ [REDACTED]
[REDACTED].

¹ Proposals in response to the Navy RFP are due on June 30, 2023.

6. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

7. Undersigned counsel has conferred with Geoffrey Long, the Department of Justice attorney assigned to this protest, regarding scheduling and the need for ATSC to file for either a temporary restraining order or preliminary injunctive relief. The RFP contemplates an award date of September 29, 2023, and Mr. Long has represented the Navy will not be awarding a contract for at least the next two weeks. Undersigned counsel and Mr. Long will continue discussions regarding a schedule following the filing of this Complaint, and hope to have an agreement in place on a proposed schedule for proceedings prior to the Court's Initial Status Conference. In light of those ongoing discussions, ATSC does not seek a temporary restraining order or preliminary injunction at this time.

II. JURISDICTION

8. The Court has jurisdiction over this bid protest action pursuant to 28 U.S.C. § 1491(b).

9. ATSC is an interested party to pursue this protest. *See* 28 U.S.C. § 1491(b)(1). To qualify as an interested party, a protestor must demonstrate that it is an “actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract.” *Nat'l Air Cargo Grp., Inc. v. United States*, 126 Fed. Cl. 281, 295 (2016) (quoting *Am. Fed'n of Gov't Emps. v. United States*, 258 F.3d 1294, 1302 (Fed. Cir. 2001); *see also CGI Fed. Inc. v. United States*, 779 F.3d 1346, 1348 (Fed. Cir. 2015)

(affirming two part, “actual or prospective offeror” with a “direct economic interest” test for standing in a pre-award protest).

10. In addition, a protester has standing [REDACTED]

[REDACTED], [REDACTED]
[REDACTED]. See *Mobile Medical Intern. Corp. v. United States*, 95 Fed. Cl. 706, 733 (2010) (quoting *RAMCOR Servs. Grp., Inc. v. United States*, 185 F.3d 1286, 1289 (Fed. Cir. 1999)).

11. Here, ATSC is an actual bidder for the RFP. [REDACTED]

[REDACTED]. ATSC, therefore, has standing to pursue this action.

III. THE PARTIES

12. ATSC is a small business headquartered in McLean, Virginia. ATSC provides integrated logistics, communication, force protection, cybersecurity, and system integration services to the federal government.

13. Defendant is the United States of America, acting through the U.S. Department of Defense, Department of the Navy, which is an executive agency of the federal government. At various points, the Naval Information Warfare Systems Command’s (“NAVWAR”) and the Naval Sea Systems Command (“NAVSEA”) were responsible for conducting the procurement at issue in this suit. The subject RFP was issued by NAVSEA.

IV. FACTUAL BACKGROUND

ATSC’s Background and Experience

14. ATSC is a small business that provides affordable, effective, proven, and streamlined solutions to the federal government and allied foreign governments.

15. ATSC has over 40 years of successful program management experience, including supporting FMS by the United States, and over 20 years' experience working with United States allies on security cooperation programs around the globe, successfully managing every aspect of the FMS process. ATSC has supported FMS to governments in the Middle East, Southwest Asia, and North Africa.

16. With respect to the instant procurement, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

17. ATSC also has a history of excellent past performance, for both the United States and the Egyptian Government. Indeed, ATSC's CPARS ratings are predominantly [REDACTED] and [REDACTED]. See Ex. 1, CPARS Reports.

18. For example, on February 1, 2022, the U.S. Department of the Air Force awarded ATSC an FMS contract valued at \$93 million for the Egyptian Land Border Phase II contract. This award was a continuation of the highly successful Phase I program awarded to ATSC in 2017, and demonstrates that ATSC systems and capability are acceptable to both the United States and Egyptian Governments. Notably, the Egyptian Land Border Phase II contract was administered in this same manner as this procurement was initially, with an international competition resulting in an FMS.

The Egyptian Navy's Competition for a Maritime Surveillance System

19. In 2017, the Egyptian Navy conducted an international competition for a national maritime surveillance need. The Egyptian Navy sought solutions from United States, Russian, and Chinese offerors. Ultimately, the Egyptian Navy narrowed the competition to five companies worldwide, one of which was ATSC.

20. On April 29, 2018, [REDACTED]

[REDACTED]
[REDACTED]). Ex. 2, [REDACTED].

21. [REDACTED], [REDACTED]

[REDACTED] Instead, it stated only as follows:

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Id.

22. [REDACTED], [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED].

23. ATSC assembled a team to participate in the competition and develop a solution to meet the Egyptian Navy's needs. To that end, [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Declaration of Paul Debs (“Debs Decl.”)

¶¶ 4-5.

24. In response [REDACTED], [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

” See Ex. 3, [REDACTED].

25. [REDACTED], [REDACTED]
[REDACTED]
[REDACTED]


[REDACTED]” See generally *id.*

26. In October 2018, the Egyptian Navy requested that [REDACTED]

[REDACTED]. See Debs Decl. ¶ 7; Ex. 5, [REDACTED]

[REDACTED]. [REDACTED]

[REDACTED] Debs Decl. ¶¶ 7-8;

Ex. 5, [REDACTED]

27. [REDACTED]

[REDACTED]

[REDACTED]. See Debs Decl. ¶ 8. [REDACTED]
Information

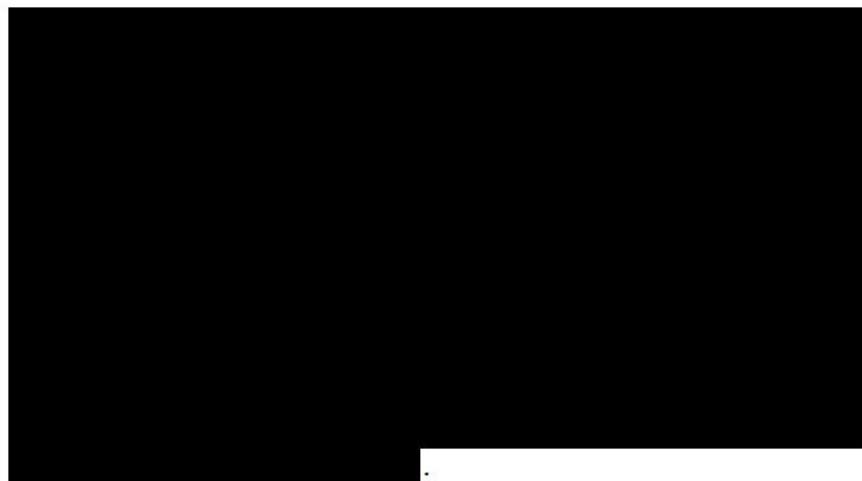
[REDACTED]

[REDACTED]. *Id.*

ATSC's Final Proposal

28. On July 5, 2019, [REDACTED]

[REDACTED]



Ex. 4, [REDACTED]

[REDACTED]

[REDACTED] l.” See generally *id.*

29. [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

Ex. 4, [REDACTED]

[REDACTED] [REDACTED] that included [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. *Id.*

30. The core of ATSC’s [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] 2

2

[REDACTED]

Id.

31. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Ex. 4, [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] *Id.* at 12.

32. Further, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Id. at 11.

[REDACTED]

Id. at 12.

33. Notably, the ATSC [REDACTED]
[REDACTED] as well as [REDACTED]
[REDACTED] Ex. 6, [REDACTED]
[REDACTED]. Additionally, the [REDACTED] [REDACTED]
[REDACTED] *Id.* at 26.

34. Because [REDACTED]
[REDACTED], [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

35. [REDACTED]
[REDACTED].

The Egyptian Navy [REDACTED]

36. In August 2019, [REDACTED]
[REDACTED]. Ex. 7, [REDACTED].

37. On August 17, 2019, [REDACTED]
[REDACTED]. *Id.* [REDACTED]
[REDACTED].

38. Upon receipt of the LOR, [REDACTED]
[REDACTED]

39. On September 19, 2019, [REDACTED]
[REDACTED]. Debs Decl.

¶ 12; *see also* Ex. 8, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. Ex. 11, [REDACTED]
[REDACTED]
[REDACTED].” *Id.*

40. On September 20, 2019, [REDACTED]

[REDACTED], [REDACTED] Information

[REDACTED] Debs Decl. ¶ 13.

41. On September 25, 2019, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Ex. 10, Paul Debs to [REDACTED] re

[REDACTED] (Sept. 25, 2019); Debs Decl. ¶ 14. ATSC approved that request. *Id.*

42. Following that [REDACTED]

[REDACTED], [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. See, e.g., Ex. 12, [REDACTED]

[REDACTED] Information

[REDACTED]); Ex. 13, Email from [REDACTED]

[REDACTED]); Ex. 6, [REDACTED]

[REDACTED]); Ex. 14, [REDACTED]; Ex. 15,

[REDACTED]; Ex. 16, [REDACTED]; Ex. 17, [REDACTED]

[REDACTED]. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ex. 12, (emphasis supplied).

43. All of the information [REDACTED]

44. With the understanding that [REDACTED]

45. Following its [REDACTED],

[REDACTED]

[REDACTED]

46. [REDACTED]

[REDACTED]

[REDACTED]

47. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

48. In February 2020, [REDACTED]

[REDACTED]
[REDACTED]),
[REDACTED]

[REDACTED]). Debs Decl. ¶ 18. [REDACTED]
[REDACTED] t [REDACTED]
[REDACTED] → [REDACTED]. Ex.

6, [REDACTED]
[REDACTED]
[REDACTED] Ex. 11, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]”); Ex. 14, [REDACTED] Information

[REDACTED] (marked [REDACTED]
[REDACTED]
[REDACTED].”); Ex. 15, [REDACTED] (“ [REDACTED]
[REDACTED]
[REDACTED].”); Ex. 17 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].”).

49. In the days following [REDACTED]

[REDACTED] s [REDACTED]

[REDACTED] Ex. 12, [REDACTED]

[REDACTED]. See Ex. 12, [REDACTED]

([REDACTED]); *id.* at 5-6 ([REDACTED])

[REDACTED]); *id.* at 6-7 ([REDACTED])

[REDACTED]

[REDACTED]

[REDACTED]); *id.* at 14-15 ([REDACTED])

[REDACTED]); *id.* at 19-20 ([REDACTED])

[REDACTED]); *id.* at 21-28 ([REDACTED])

[REDACTED]), *id.* 34-35 ([REDACTED]).

[REDACTED].

50. [REDACTED]

[REDACTED]. Debs Decl. ¶¶ 19-

22.

51. For instance, on February 24, 2020, [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] See Ex. 12, [REDACTED].

52.

Id. at 14-15 (emphasis original). The Navy representative [REDACTED]
[REDACTED].

53. Moreover, at no point [REDACTED] [REDACTED]

[REDACTED] S.

54. By October 2020, [REDACTED]
[REDACTED].

55. Accordingly, on October 1, 2020, [REDACTED]
[REDACTED], [REDACTED]
[REDACTED] [REDACTED]
[REDACTED].

56. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].”

57. DSCA also published a press release on its website with notice about the proposed transaction. Ex. 21, DSCA Press Release, Egypt Echo Shield CN. The notice provided [REDACTED], the cost of the solution, and identified ATSC as the Prime Contractor. *See id.*; Ex. 20, Congressional Notice (Egypt - Maritime Domain Awareness). [REDACTED]
[REDACTED]. Debs Decl. ¶ 24.

58. On November 11, 2020, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

59. In May 2021, [REDACTED]

[REDACTED]

[REDACTED]. [REDACTED] 1, [REDACTED]

[REDACTED].

60. [REDACTED]

[REDACTED]. [REDACTED]

61. [REDACTED]

[REDACTED].

62.

In September 2021, [REDACTED]

[REDACTED] Debs Decl. ¶ 25.

63.

Nonetheless, [REDACTED]

[REDACTED]. To that end, on September 8, 2021,

[REDACTED]. Ex. 22,

[REDACTED]. [REDACTED]

Ex. 23, [REDACTED]

[REDACTED], [REDACTED] See Ex. 22,

[REDACTED].

64. On September 29, 2021, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

65. Following that September 29, 2021 meeting, [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]. 26, [REDACTED]

66. In October 2021, [REDACTED]

[REDACTED] Debs Decl. ¶¶ 28-29.

67. On October 8, 2021, [REDACTED]

[REDACTED] Ex. 27, [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]. *Id.*

68. [REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] See Ex. 28, [REDACTED]

[REDACTED]); Debs Decl. ¶¶ 29-31.

69. Nonetheless, PMW 740 continued to ask for [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] See Ex. 29,

[REDACTED]. On October 15, 2021, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Id.; Ex. 30, [REDACTED]

70. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] See Ex. 28, [REDACTED].

71. [REDACTED]
[REDACTED]. Ex. 31,

[REDACTED] at 1.

72. However, in January 2022, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. ([REDACTED]
[REDACTED]

73. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Debs Decl. ¶¶ 32-33.

74. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. Ex. 7, [REDACTED]

[REDACTED]

[REDACTED].

[REDACTED]

75. [REDACTED]

[REDACTED]

[REDACTED] : [REDACTED]. See Ex. 32, [REDACTED]

[REDACTED]). [REDACTED]

[REDACTED]. *Id.*

76. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. See Ex. [REDACTED]

33, [REDACTED]); Ex. 34, Rep. [REDACTED]); Ex.
35, [REDACTED]).

77. [REDACTED]

[REDACTED].

78. On August 15, 2022, [REDACTED], [REDACTED]

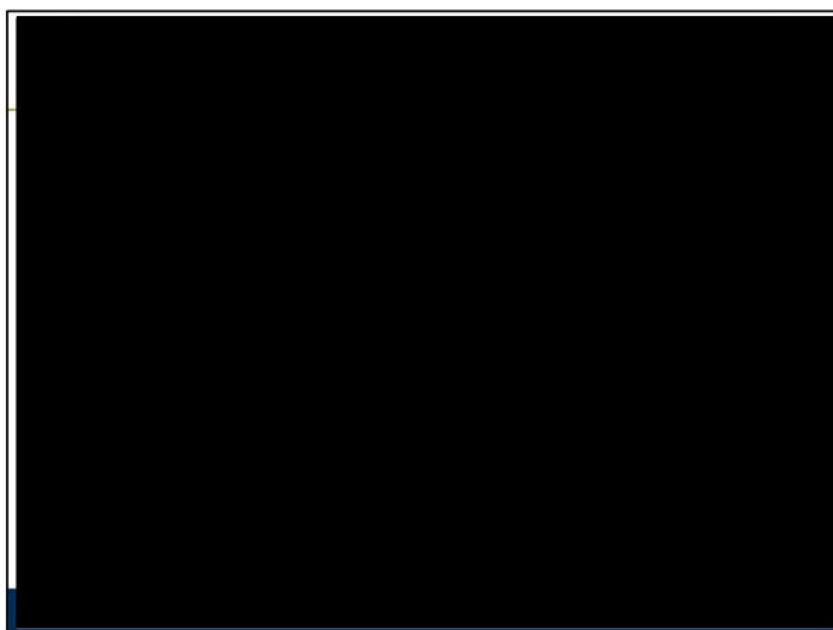
[REDACTED]

[REDACTED]. See Ex. 7,

[REDACTED]

[REDACTED], the [REDACTED]

[REDACTED]



Id. at 5.

79. Following that briefing, [REDACTED],

[REDACTED] | [REDACTED]

[REDACTED] and

specifically the Navy's apparent intent [REDACTED]

[REDACTED] [REDACTED]. Ex.

35, [REDACTED]). That letter [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Id at 2-3

80. [REDACTED] : [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] *Id.* at 3. For that reason, the s [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] *Id.*

81. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] See Ex. 36, [REDACTED]

[REDACTED].

82. Relevant here, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] *Id.* (emphasis supplied). [REDACTED]

[REDACTED],

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

83. Ultimately, [REDACTED]

[REDACTED]

[REDACTED]

. Ex. 36,

84. At that point, the procurement was reassigned to NAVSEA.

The

85. On February 2, 2023, the Navy issued the Navy RFP as a competitive request for proposals. The RFP contemplating the award of one firm-fixed price contract to the offeror that provided the best value to the government. Ex. 37, Navy RFP at 89, 110. [REDACTED]

SOW (identifying [REDACTED]).
[REDACTED"]).

86.

. *Id.*

87.

1

Id. at 10-11.

88. In other words, [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Ex. 38,

SOW at 10-11. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

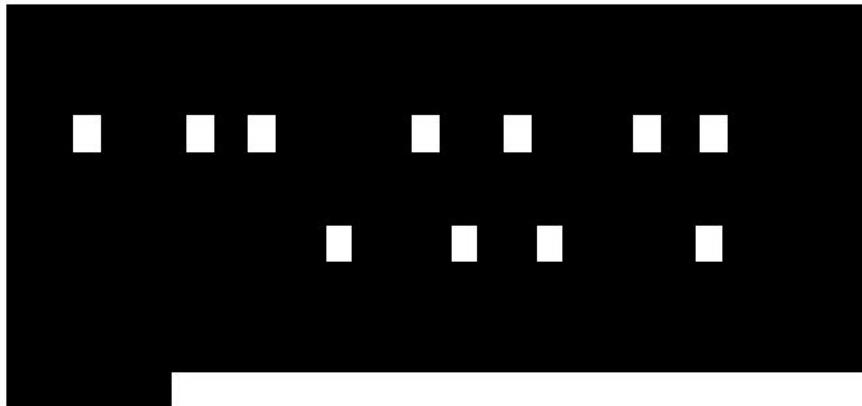
a.

The figure consists of four horizontal black bars of varying lengths. The top bar is the longest, followed by the third bar, then the second bar, and finally the bottom bar which is the shortest. All bars are black and have a uniform thickness.

b. [REDACTED],” [REDACTED]

c. [REDACTED]

[REDACTED]
[REDACTED]
d. Finally, the Navy required [REDACTED]
[REDACTED]



Ex. 38, Navy SOW at 10-11. [REDACTED]

[REDACTED]
[REDACTED] See [REDACTED]
[REDACTED].

90. On March 19, 2023, [REDACTED]

[REDACTED]
[REDACTED]. Ex. 39, [REDACTED]
[REDACTED].

91. [REDACTED]

[REDACTED].

92. As of the date of this filing, NAVSEA has not responded to ATSC's March 19 letter.

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

93. On April 10, 2023, [REDACTED]
[REDACTED]
[REDACTED].

94. [REDACTED]
[REDACTED].

95. [REDACTED]
[REDACTED]
[REDACTED].

96. [REDACTED]
[REDACTED].

97. [REDACTED]
[REDACTED]
[REDACTED].

98. On May 4, 2023, NAVSEA counsel requested from undersigned counsel

documents [REDACTED]. Specifically, NAVSEA sought [REDACTED]
[REDACTED], [REDACTED], [REDACTED],
[REDACTED] Ex. 41, [REDACTED]
[REDACTED].

99. Undersigned counsel provided the requested documents to NAVSEA on May 16 and 17, 2023.

100. On June 21, 2023, [REDACTED]

[REDACTED].

101. On June 22, 2023, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]). Ex. 42, [REDACTED]

[REDACTED]

[REDACTED] | Ex. 43, [REDACTED]

[REDACTED]; Ex. 44, [REDACTED]; Ex. 45,

[REDACTED]; Ex. 46, [REDACTED]

[REDACTED]; Ex. 47, [REDACTED]

[REDACTED]; Ex. 48, [REDACTED].

102. [REDACTED]

[REDACTED]

[REDACTED].

103. [REDACTED]

[REDACTED]⁴.

⁴

As of this filing, [REDACTED]

[REDACTED]

[REDACTED].

104. At the outset, [REDACTED]

[REDACTED]

[REDACTED]. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. Indeed, [REDACTED]

[REDACTED].

105. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

106. Moreover, [REDACTED]

[REDACTED]

[REDACTED] t [REDACTED]

[REDACTED] See Ex. 43,

[REDACTED]; see also Ex. 44, [REDACTED], [REDACTED]

[REDACTED] r.

107. In any event, [REDACTED]

[REDACTED]

[REDACTED]:

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Ex. 44, [REDACTED] (emphases supplied).

108. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

109. Accordingly, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED].

110. [REDACTED]

[REDACTED]
[REDACTED].

111. For example, [REDACTED] [REDACTED]

[REDACTED]
[REDACTED] Ex. 42,
[REDACTED].

112. This statement is puzzling for a number of reasons. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]. Debs Decl. ¶¶ 35. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Ex. 36, [REDACTED]

113. Elsewhere in the [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. See Ex. 21, DSCA Press Release, Egypt Echo Shield CN. [REDACTED]

[REDACTED]
[REDACTED]. Debs Decl. ¶¶ 23-24. [REDACTED]
[REDACTED]
[REDACTED]

114.

115.

116. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

117. First, [REDACTED] [REDACTED]

[REDACTED] Ex. 42, [REDACTED] That may
be true, but conspicuously absent from that statement [REDACTED]

[REDACTED]

118. Second, [REDACTED] [REDACTED]

[REDACTED] *Id.* at 9. But again, those documents were
executed [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

119. Finally, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] *Id.* [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

120. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] *Id.* at 12. This is specious. [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

121. [REDACTED]

[REDACTED].

122. The Navy's actions have prejudiced ATSC. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

COUNT I

123. [REDACTED]

[REDACTED].

124. [REDACTED]

[REDACTED]

125. [REDACTED]

[REDACTED]

126. [REDACTED]

[REDACTED]

[REDACTED] :”

127. Collectively, [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].” *Id.* (internal citations omitted).

128. [REDACTED]

[REDACTED]

[REDACTED].

129. In so doing, [REDACTED]

[REDACTED].

COUNT II

Violation of [REDACTED]

130. ATSC hereby incorporates the foregoing paragraphs 1-129 as if fully set forth herein.

131. [REDACTED]
[REDACTED]
[REDACTED].

132. The Navy [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

133. Nonetheless, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

134. The Navy's actions, on their face, [REDACTED]
[REDACTED]
[REDACTED]

COUNT III

Violation of [REDACTED]

135. ATSC hereby incorporates the foregoing paragraphs 1-134 as if fully set forth herein.

136. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

137. Similarly, [REDACTED]
[REDACTED]
[REDACTED].

138. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

139. [REDACTED]
[REDACTED].

140. [REDACTED].

141. [REDACTED]
[REDACTED].

142. [REDACTED]

[REDACTED]

[REDACTED].

143. [REDACTED]

[REDACTED]

144. [REDACTED]

[REDACTED]

[REDACTED].

145. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

146. [REDACTED].

147. [REDACTED]

[REDACTED]

[REDACTED].

148. [REDACTED].

COUNT IV

[REDACTED]

149. ATSC hereby incorporates the foregoing paragraphs 1-148 as if fully set forth herein.

[REDACTED]

150. In the alternative, [REDACTED]

[REDACTED].

152. [REDACTED]

153. [REDACTED]

154. [REDACTED]

155. Nevertheless, [REDACTED]

156. [REDACTED].

157. The Navy [REDACTED]

158. [REDACTED]

V. BASIS FOR INJUNCTIVE RELIEF

159. As set forth in paragraphs 1-158, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED].

160. Absent an injunction, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED].

161. The balance of the harms also favors ATSC. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

162. Finally, the public interest also favors ATSC because the public has a strong interest [REDACTED]

[REDACTED].

VI. PRAYER FOR RELIEF

For each and all of the foregoing reasons, ATSC requests that the Court enter judgment in its favor and provide the following relief:

1. [REDACTED]

2. [REDACTED]

[REDACTED]

3. [REDACTED]
[REDACTED];
4. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED];
5. Award ATSC its costs associated with this protest action, including, but not limited to, attorney's fees; and
6. Grant any other such other relief as the Court may deem just and appropriate.

June 30, 2023

Respectfully submitted,

/s/ Anuj Vohra
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